S.B. CIVIL WRIT PETITION NO. 3880/93.
(MOHD. AKTHAR KAMIL VS. STATE & ORS.)

DATE OF ORDER : 04.07.2006.

HON'BLE MR. GOVIND MATHUR, J.

None present for the petitioner.
Mr. B.L. Tiwari, Dy. Government Advocate.

Under the advertisement dated 04.6.92, the District Administrative Officer invited applications from eligible candidates for the purpose of appointment to the post of Urdu Teacher against 10 existing vacancies. The petitioner being eligible, submitted an application and his candidature was considered by a competent selection committee. The District Education Officer, Nagaur by an order dated 21.11.92 appointed 7 persons as Urdu Teacher as a consequent to selection proceedings taken place in pursuant to the advertisement dated 4.6.92.

The grievance of the petitioner is that by the advertisement dated 4.6.92, applications were invited from the eligible candidates to fill up 10 vacancies, but the respondents inspite of availability of vacancies, chose to fill in only 7 vacancies and that has adversely effected the rights of the petitioner, who stands at S.No.8 in the select list.

A reply to the writ petition on behalf of the respondents have been filed stating therein that infact at the time the vacancies were notified, only 7 posts were lying vacant and, therefore, appointment was given to 7 persons. It is further stated that as a consequence of rationalisation in the month of March 1993, only four posts of Urdu Teacher remained available and those were filled in accordance with law.

In view of the facts averred in reply to the writ petition that at the first instance, 10 vacancies were advertised, but those were reduced as a consequence of rationalisation, the claim made by the petitioner having no foundation to be survive.

Accordingly, this writ petition for writ is dismissed.

(GOVIND MATHUR)J.

Anil/